

Calendar No. 139

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SENATE

{ REPORT
No. 134

COMMANDER WALTER H. ALLEN

FEBRUARY 1 (calendar day FEBRUARY 3), 1926.—Ordered to be printed.

Mr. TYSON, from the Committee on Claims, submitted the following

ADVERSE REPORT

[To accompany S. 2336]

The Committee on Claims, to whom was referred the bill (S. 2336) to reimburse Commander Walter H. Allen, civil engineer, United States Navy, for losses sustained while carrying out his duties, having considered the same, report adversely thereon with the recommendation that the bill be indefinitely postponed.

The claimant is asking that he be reimbursed in the sum of \$2,435.84 for the loss of his personal effects in a fire which destroyed his office building at the Great Lakes Training Station, Great Lakes, Ill., on July 31, 1919, while he was carrying out his duties under the direction and orders of the commandant of the station.

Commander Allen had been on duty at the station for a considerable time previous to the fire. With the permission of the commandant he had been residing off the station, but a new commandant desiring that he should reside in one of the Government quarters on the station, directed him to prepare to occupy the quarters in June, 1919. Complying with these orders, Commander Allen, in June, surrendered the house that he had leased in Evanston, Ill., and shipped his goods to the training station, but there was a delay in having vacated the quarters that Commander Allen was to occupy, so that his goods were stored on the top floor of his office building, no other storage being available. This building was destroyed by fire on July 31, 1919.

Commander Allen's personal effects to the value of \$1,297 were lost in the destruction of the building, but for this amount he has been entirely reimbursed, having received payment from the Bureau of Navigation in the sum of \$1,117.82, and from the proceeds of an insurance policy in the sum of \$179.18.

His loss with respect to his household effects was \$1,786.50, for which loss he has been reimbursed by the Bureau of Navigation in the sum \$1,525.91, and from the proceeds of his insurance in the

sum of \$71.08, leaving a balance of \$189.51 as a loss on his household effects.

The purpose of the bill is to reimburse for this sum, and for the further sum of \$2,246.34 for such of the loss of the personal effects of his wife and daughter as were not covered by insurance, making a total sum of \$2,435.85 for which he seeks recovery.

The loss on the household effects for which the Bureau of Navigation has refused to reimburse him is apparently for articles not deemed in any sense necessary for his use as an officer, as the bulk of such unrecovered loss is listed by Commander Allen under "toys."

The report of the board of inquiry as to the origin of the fire causing the loss and as to the precautions taken by the Government to guard against such loss shows that the origin of the fire is undetermined, and that all proper safeguards had been taken, and due precautions exercised to prevent fire.

It is not believed that it is the duty of the Government to insure the members of the family of an officer against any possible loss for the destruction of their personal effects on a military or naval reservation if the Government, through its agents, has, as in this instance, taken all precautions to guard against loss to those on the reservation, even though properly there and residing there under orders.

Commander Allen tacitly recognized this principle in partially covering any possible loss by insurance.

Your committee, having considered all the facts in the case, is of the opinion that the bill is without merit and therefore recommend that it be indefinitely postponed.

